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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

| | | |
|---|---------------------------|--------------------------------|
| ATTORNEY'S DOCKET NUMBER | | |
| TYOS123084 | | |
| U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5) | | |
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | EARLIEST PRIORITY DATE CLAIMED |
| PCT/JP2003/010432 | 19 August 2003 | 20 August 2002 |
| TITLE OF INVENTION | | |
| BIAXIALLY ORIENTED POLYESTER CONTAINER AND METHOD OF MANUFACTURING THE CONTAINER | | |
| APPLICANT(S) FOR DO/EO/US | | |
| Norihiisa HIROTA and Satoshi SHIBATA | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - ☒ a. is attached hereto (required only if not communicated by the International Bureau).
 - ☒ b. has been communicated by the International Bureau.
 - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}.
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- ☒ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- ☒ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- ☐ a. are attached hereto (required only if not communicated by the International Bureau).
- ☐ b. have been communicated by the International Bureau.
- ☐ c. have not been made; however, the time limit for making such amendments has NOT expired.
- ☒ d. have not been made and will not be made.
- ☐ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

- ☐ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- ☐ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- ☐ 13. A FIRST preliminary amendment.
- ☐ 14. A SECOND or SUBSEQUENT preliminary amendment.
- ☐ 15. A substitute specification.
- ☐ 16. A change of power of attorney and/or address letter.
- ☐ 17. A computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 – 1.825.
- ☐ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ 20. Other items or information:

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| | | | | | |
|---|---------------------|---------------------|-------------|-------------------------------------|----|
| <u> X </u> 21. The following fees are submitted: | | | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1,080.00 | | | | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 | | | | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$770.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$730.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$920.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <u> 20 </u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 2 - 20 = | 0 | X \$18.00 | \$-- | |
| Independent claims | 1 - 3 = | 0 | X \$86.00 | \$-- | |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | + \$290.00 | \$-- | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$920.00 | |
| <u> </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$-- | |
| SUBTOTAL = | | | | \$920.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <u> 20 </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$-- | |
| TOTAL NATIONAL FEE = | | | | \$920.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$-- | |
| TOTAL FEES ENCLOSED = | | | | \$920.00 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

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- X a. Check No. 156258 in the amount of \$920.00 to cover the above fees is enclosed.
- X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

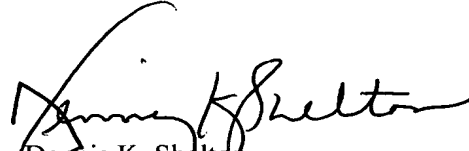
SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Dennis K. Shelton
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
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Respectfully submitted,


CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Dennis K. Shelton
Registration No. 26,997
Direct Dial No. 206.695.1718

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 534741610 US
Date of Deposit: June 23, 2004

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

DKS:cj

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